


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RICHELLE REECE,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:12-CV-1566 (CEJ)
)	
UNITED STATES POSTAL SERVICE,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

Plaintiff brings this action under the Federal Tort Claims Act (FTCA), 28 U.S.C. §2671, *et seq.*, to recover damages for injuries she allegedly sustained in a collision with a United States Postal Service vehicle. The defendant moves to strike plaintiff's jury demand. Plaintiff has not filed a response, and the time allowed for doing so has expired.

There is no right to a jury trial under the FTCA. See 28 U.S.C. § 2402 ("[A]ny action against the United States under [the FTCA] shall be tried by the court without a jury"). See also, Carlson v. Green, 446 U.S. 14, 22 (1980) (" a plaintiff cannot opt for a jury in an FTCA action"). Accordingly, **IT IS HEREBY ORDERED** that defendant's motion to strike plaintiff's jury demand [Doc. # 5] is **granted**.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

Dated this 8th day of March, 2013.